

**APPLICATION TO THE MARTINSVILLE PLAN COMMISSION FOR
CHANGE IN LAND USE OR SUBDIVISION OF LAND WITHING THE
PLANNING JURISDICTION OF THE CITY OF MARTINSVILLE**

Docket No. _____

Date of Filing: _____.

Applicant: _____ Phone: _____

Address of Applicant: _____

Is Applicant the Landowner or Owner's Attorney? **(YES)** **(NO)** circle one. If NO, Written Authorization of Landowner is Required Before Proceeding.

Request for: **(Land use change including PUD)**, **(Primary subdivision approval including PUD)**, or **(Minor plat approval)** circle one.

Specific request (such as change in zoning district from-to; approval of primary subdivision to contain XX lots with a minimum lot size of XXX square feet; or approval of a minor plat to contain X lots with a minimum lot size of XX square feet). Also, include any commitments or restrictions that you believe are needed or desired. If additional space is needed commitments or restrictions can be attached as an exhibit to this application:

Legal Description: _____

Total Area Affected: _____ Current Zoning Classification: _____

Address of Property: _____

Signature of Applicant or Agent

**AFFIDAVIT OF NOTICE FOR PUBLIC HEARING OF THE CITY OF
MARTINSVILLE PLAN COMMISSION OR BOARD OF ZONING APPEALS**

State of Indiana)
) **SS:**
County of Morgan)

I or We _____

Being the applicant or agent of the applicant having a petition before the City of Martinsville Plan Commission or Board of Zoning Appeals for consideration of the matter as given and described on the attached **Notice of Public Hearing** do hereby certify to the City of Martinsville Plan Commission or Board of Zoning Appeals, as the case may be, that the attached public hearing notice was sent by certified mail, return receipt requested, to each landowner(s) adjoining and within two parcels in depth or six hundred sixty (660) feet, which ever is less (streets, highways, railroads, and rivers having been ignored), from the parcel of land that is the subject of this affidavit at the address as listed in the tax records of the Auditor of Morgan County. That each and every owner that is required to be notified has been notified and that the names and addresses of those parties so notified is attached hereto and is made part of this affidavit. Further, that notification to the required public agencies by certified mail or hand delivery has been made and that the names of the agencies so notified are also attached hereto and made a part of this affidavit.

Further that said notices of public hearing together with notification of the required public agencies were mailed on _____ day of _____, 20____ being at least fifteen (15) days prior to the _____ day of _____ 20____ which date is the date of the public hearing concerning this petition.

Signature of applicant or agent

Subscribed and sworn before me, a Notary Public, this _____ day of _____
20_____.

Signature of Notary

Printed or Typed

County of _____

My Commission Expires: _____

**APPLICANT BE SURE TO ATTACH THE PUBLIC NOTICE AND LIST OF
PERSON NOTIFIED**

**CITY OF MARTINSVILLE PLAN COMMISSION
NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held by the City of Martinsville PLAN COMMISSION, at City Hall, 59 South Jefferson., Martinsville, Indiana on Tuesday **(insert date of hearing)** at 7:00 p.m. local time upon the application of **(insert the name of applicant)** for a **(change in land use (zoning change); primary subdivision approval, or minor plat approval)** specially **(describe the nature of your request)** on property located at **(insert address of property or if no address has been assigned, give directions from nearest intersecting streets or roads)** the legal description of the property is **(insert legal description of property)** . The complete application and file for this application is available for public inspection fifteen(15) days prior to hearing date, during regular working hours, at the Martinsville City Hall, 59 South Jefferson St., Martinsville, Indiana.

Interested persons appearing in favor of or in opposition to the application will be heard thereon by the Commission.

This notice has been prepared by **(insert name and address of person and firm, if any, who prepared this public notice)**.

Dated this: **(insert the date the public notice was mailed or sent to local newspaper)**

**MARTINSVILLE PLAN COMMISSION
MEMBER LIST**

	<u>ADDRESS</u>	<u>TELEPHONE</u>
David Barger (R)	640 E. Highland St.	342-0731 (H) 342-3376 (W)
Douglas Arthur(R)	170 Goodnight Rd.	349-9301 (H) 342-3344 (W)
Tom Williams (D)	2205 Blue Bluff Rd.	342-4955 (H) 342-1756 (W)
Ross Holloway, Engineer	P.O. Box 234 Mooresville, IN 46158	831-7918 (W)
Terry Collier	620 Valley Dr.	342-7714 (H) 342-3381 (W)
Michael Kirsch	222 N. Old SR 67 South	342-3420 (H)
Marilyn Siderwicz (R)	145 Ferguson Dr.	342-2556 (H)
Rod Bray, Attorney	210 E. Morgan St.	342-6814 (W)
David Trout (R)	310 Grassyfork Lane	349-9949 (H) 831-3434 (W)
Joanne Stuttgen (D)	759 E. Washington St.	349-1537 (H)
Richard L. Walters	3140 Clear Creek Blvd.	342-9309 (H)
Grady Howard (D)	139 Duo Dr.	342-6786 (H)

NOTE: MEETS FOURTH TUESDAY OF EACH MONTH AT 7:00 P.M.

CITY OF MARTINSVILLE PROCEDURES SUMMARY FOR PLAN COMMISSION AND BOARD OF ZONING APPEALS APPLICATION

Following is the procedure for making application to the City of Martinsville Plan Commission or Board of Zoning Appeals for zoning change, subdivision approval or variance. This summary of application procedures is being provided as an aid to the applicant and is not intended or represented to be a replacement for the procedures and requirements of the City of Martinsville Zoning Ordinance. It is the responsibility of the applicant to comply with the requirements of the Ordinance. Any applicant who has not met the filing schedule or public notice requirements will not be heard by the Commission or Board.

1. Application forms are available from the Office of the Martinsville City Superintendent. A copy of the City of Martinsville Zoning Ordinance is available from the Office of the City Superintendent at a cost of \$20.00.
2. **FILING PROCEDURES ALL APPLICATIONS:**
 - (a) Make application with the Office of the City Superintendent not less than twenty (20) days prior to the scheduled meeting of the Commission or Board and pay the associated filing fee(s). In addition to the application form three copies of any maps, drawings or site plans shall be submitted with the application. In the case of an application for a subdivision or minor plat four (4) copies are required containing all the information required by Section 13.3.1 or 13.3.4 of the Ordinance.
 - (b) Application for variances from development standards must be specific as to the requested variance. Example: *In a R1(a) Residential District a variance is requested in the front setback line from the required 40 feet to 30 feet.*
 - (c) Place a legal notice in the Martinsville Reporter per the "Notice of Public Hearing" example attached. The hearing notice must appear in the paper **not less than fifteen (15) days prior** to the scheduled date of the hearing. The publishers affidavit containing the text of the legal notice, date of publication and name of newspaper must be returned to the Office of the City Superintendent **not less than two (2) days prior** to the scheduled hearing date.
 - (d) Notice shall be given to all landowners adjoining and within two parcels in depth or six hundred sixty (660) feet from the subject parcel, whichever is less (streets, highways, railroads or rivers shall be ignored). Notification shall be made **not less than fifteen (15) days prior** to the scheduled date of the hearing by certified mail, return receipt requested in the form shown on the attached "Notice of Public Hearing" example. The notice shall be sent to the most current owner and address as listed in the tax assessment records of the Auditor of Morgan County. A notarized affidavit (example form attached) of notice shall be returned to the Office of the City Superintendent **not less than two (2) days prior** to the scheduled hearing date. The notarized affidavit shall list the names and addresses to which the notice had been sent and the return receipts (green cards) or receipt of mailing shall be attached.
 - (e) Notice shall be sent to the following agencies by certified mail, return receipt requested, or by hand delivered with proof of delivery, **not less than fifteen (15) days prior** to the scheduled date of the hearing. Proof of delivery shall be returned to the Office of the City Superintendent **not less than two (2) days prior** to the scheduled hearing date:
 1. Martinsville Police Department or if not within the city limits the Morgan County Sheriff.
 2. Martinsville Consolidated School Corporation
 3. Morgan County Soil and Conservation District.
 4. Morgan County Highway Engineer.
 5. Martinsville Fire Department and if outside the city limits the department having jurisdiction.
 6. Morgan County Board of Health if the development is to be serviced by individual waste treatment (septic) systems.
 - (f) Fifteen (15) days prior to the scheduled meeting, each member of the Plan commission or Board of Zoning Appeals, as the case may be, shall be sent by regular mail at their address shown on the attached sheets, the same notice as given to the adjoining landowners together with any exhibits, plans or plats that you wish the members to have. When appearing before the BZA requesting a variance, include the appropriate Findings of Fact letter (variance of use, variance of development standards, or special exception) filled out as complete as possible.
3. Only the legal owner of the land or owner's attorney may make application to the Commission or Board. If the applicant is not the legal owner of the land on which the application is being filed a written, dated, statement authorizing the applicant to represent the landowner before the Commission or Board is required to be filed at the time application is made.
4. Not less than five (5) days prior to the scheduled meeting the technical review comments compiled by the Commission will be sent to the applicant. Comments will be faxed or e-mailed to the applicant, or applicant's surveyor/engineer, if a fax number or e-mail address is provided on the application
5. You may present photos, drawings, plans or other documents in support of your application at the hearing.
6. At the hearing you may represent yourself or be represented by an attorney, surveyor, engineer or anyone else you choose. You or your representative will be expected to explain your application to the Commission or Board. You will be given up to fifteen minutes for your presentation. Remonstrators will be given a total of fifteen minutes, up to five minutes per person, for their presentation. After the remonstrators presentation the applicant will be given up to five minutes for rebuttal. All times may be extended at the discretion of the Chairman. Comments shall be directed to the Commission or Board. Direct conversation with the remonstrators will not be permitted unless allowed by the Chairman.
7. Disorderly conduct, offensive language or gestures will not be tolerated.